

Law Division Motion Section Initial Case Management Dates for 12-Person Jury (A,B,C,D,E,F,H,R,X,Z) will be heard in the courtroom. All other Law Division Initial Case Management Dates will be heard via Zoom or more information and Zoom Meeting IDs go to [https://www.cookcountycourt.org/HOME?Zoom-Links?Agg4906\\_SelectTab/12360](https://www.cookcountycourt.org/HOME?Zoom-Links?Agg4906_SelectTab/12360) \*  
Court Date: 6/26/2024 9:30 AM

Attorney No. 365598

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY CLERK  
DEPARTMENT, LAW DIVISION

FILED  
4/15/2024 12:00 AM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
2024L003997  
Calendar, R  
27248809

JOHN DJIKAS,

Plaintiff,

v.

KEHINDE AKINRINADE, and  
LYFT, INC.,

Defendants.

CASE NO: 2024L003997

**COMPLAINT FOR DAMAGES AND JURY DEMAND**

JOHN DJIKAS (hereinafter "John"), by CUSTY LAW FIRM, LLC, and for his Complaint against Defendants, KEHINDE AKINRINADE (hereinafter "Akinrinade") and LYFT, INC. (hereinafter "LYFT") alleges and states the following:

**THE PARTIES**

1. At all times relevant, John is a resident of Hennepin County, Minnesota.
2. At all times relevant, Lyft is a foreign for-profit corporation, incorporated under the laws of the State of Delaware, with its principal place of business located at 185 Berry Street, Suite 400, San Francisco, California, 94107. Lyft is properly served through its registered agent, CT Corporation System, at 3208 SO Lasalle St., Suite 814, Chicago, IL 60604.
3. At all times relevant, Akinrinade is a resident of Cook County, Illinois, and is properly served at 6334 North Claremont Avenue, Apt. B, Chicago, Illinois, 60659.

**BACKGROUND FACTS**

4. Plaintiff incorporates the foregoing allegations as if set forth fully herein.

**Exhibit A**



\* 5 0 4 1 7 3 6 0 \*

5. On May 18, 2022, at approximately 8:25 PM, John was lawfully operating a 2018 Toyota Prius traveling north on South Columbus Drive, Chicago, Illinois, nearing the intersection of Jackson.

6. At the same time and place, Akinrinade, an employee or agent of LYFT acting within the scope of such employment or agency and in the course of his duties as a Lyft driver, was operating a 2021 Mercedes-Benz GLA traveling north on South Columbus Drive, when he negligently collided with the rear end of John's vehicle.

### COUNT I

#### *Negligence – Kehinde Akinrinade*

7. Plaintiff incorporates the foregoing allegations as if set forth fully herein.

8. On May 18, 2022, Akinrinade owed John and others a duty to behave reasonably and avoid causing harm to others.

9. On May 18, 2022, contrary to the duty of reasonable care owed, Akinrinade was negligent in one or more of the following ways, *inter alia*:

- a. Moved at an unreasonable rate of speed in violation of 625 ILCS § 5/11-601;
- b. Failed to move with reasonable safety;
- c. Failed to exercise due care and caution given the circumstances and conditions;
- d. Failed to observe his surroundings while operating his vehicle;
- e. Failed to keep a proper lookout;
- f. Failed to maintain control of the vehicle;
- g. Failed to apply the brakes or take evasive maneuvers to prevent the collision;  
and
- h. Behaved otherwise differently than a reasonably prudent person would have under the same or similar circumstances.



\* 5 0 4 1 7 3 6 0 \*

10. As a direct and proximate result of Akinrinade's negligence, John sustained physical injuries, endured emotional distress, and suffered other permanent and severe personal injuries. He incurred and will continue to incur hospital, diagnostic, surgical, therapeutic, pharmaceutical, and other medical expenses. Additionally, John has experienced and will continue to experience physical pain, mental suffering, loss of enjoyment of life, and permanent impairment. Moreover, he incurred other injuries and damages of a personal and pecuniary nature.

WHEREFORE, Plaintiff JOHN DJIKAS seeks the entry of judgment in his favor and against Defendant KEHINDE AKINRINADE for compensatory damages in an amount to be determined herein, prejudgment interest, for the costs of this action, and for any and all other relief that the Court and Jury may deem proper under the circumstances.

## **COUNT II**

### ***Respondeat Superior – LYFT***

11. Plaintiff reincorporates the foregoing allegations as if set forth fully herein.

12. At all times relevant, Akinrinade was acting within the course and scope of his employment or agency with Defendant Lyft and was furthering the business interests of Lyft.

13. Defendant Lyft is liable under the doctrine of *respondeat superior* and the rules of agency for the tortious acts and omissions of their agents, employees, members, representatives, servants, or contractors pursuant to applicable law. These acts and omissions include but are not limited to, the acts and omissions committed by Defendant Akinrinade on May 18, 2022, which are described above and were committed within the course and scope of his agency or employment with Lyft.

14. As a result of the foregoing breaches of duties, John was physically injured, suffered emotional distress, and sustained other permanent and severe personal injuries; incurred and will incur hospital, diagnostic, therapeutic, pharmaceutical, and other medical expenses; suffered and will suffer physical pain, mental suffering, terror, fright, loss of enjoyment of life, and permanent impairment;



\* 5 0 4 1 7 3 6 0 \*

lost time or wages and impairment of earning capacity; and incurred other injuries and damages of a personal and pecuniary nature.

15. Alone or in conjunction with the negligence of other defendants Lyft and Akinrinade's negligence proximately caused the injuries to John.

16. Defendant Lyft is liable to John for all damages allowed by law for the injuries, damages, and losses sustained by John as a result of the negligence of Defendant Akinrinade and/or their independent negligence.

WHEREFORE, Plaintiff JOHN DJIKAS seeks the entry of judgment in his favor and against Defendant LYFT, INC. for compensatory damages in an amount to be determined herein, prejudgment interest, for the costs of this action, and for any and all other relief that the Court and Jury may deem proper under the circumstances.

Respectfully submitted,

CUSTY LAW FIRM, LLC

/s/Brian N. Custy

Brian N. Custy (ARDC No. 6292134)

**JURY DEMAND**

Comes now, Plaintiff JOHN DJIKAS, and respectfully demands trial by jury.

Respectfully Submitted,

By: /s/ Brian N. Custy

Brian N. Custy



\* 5 0 4 1 7 3 6 0 \*

**SCR 222 CERTIFICATION**

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies on behalf of Plaintiff that the total damages sought herein exceed \$100,000.

Respectfully Submitted,

By: /s/ Brian N. Custy  
Brian N. Custy

ARDC No. 6292134  
Cook Cty. No. 49823  
CUSTY LAW FIRM, LLC  
4004 Campbell Street, Suite 4  
Valparaiso, IN 46385  
(219) 660-0450



**CT Corporation  
Service of Process Notification**

05/02/2024  
CT Log Number 546343543


**Service of Process Transmittal Summary**

**TO:** Legal Sop  
Lyft, Inc.  
185 BERRY ST STE 400  
SAN FRANCISCO, CA 94107-1725

**RE:** Process Served in Illinois

**FOR:** Lyft, Inc. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

<b>TITLE OF ACTION:</b>	Re: JOHN DIKAS // To: Lyft, Inc.
<b>DOCUMENT(S) SERVED:</b>	Summons, Complaint and Jury Demand, Certification
<b>COURT/AGENCY:</b>	Cook County Circuit Court - Law Division, IL Case # 2024L003997
<b>NATURE OF ACTION:</b>	Personal Injury - Vehicle Collision - 05/18/2022
<b>PROCESS SERVED ON:</b>	C T Corporation System, Chicago, IL
<b>DATE/METHOD OF SERVICE:</b>	By Process Server on 05/02/2024 at 15:27
<b>JURISDICTION SERVED:</b>	Illinois
<b>APPEARANCE OR ANSWER DUE:</b>	Within 30 days after service of this summons
<b>ATTORNEY(S)/SENDER(S):</b>	Brian N. Custy 4004 Campbell St., Suite 4 Valparaiso, IN 46385 219- 286-7361
<b>ACTION ITEMS:</b>	CT has retained the current log, Retain Date: 05/02/2024, Expected Purge Date: 05/07/2024  Image SOP Email Notification, Email Notification, Email Notification, Email Notification, Email Notification, Email Notification, Email Notification, 
<b>REGISTERED AGENT CONTACT:</b>	C T Corporation System 208 South LaSalle Street Suite 814 Chicago, IL 60604

**Exhibit B**



**CT Corporation**  
**Service of Process Notification**

05/02/2024

CT Log Number 546343543

877-564-7529  
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

District 1

## Case Summary

Case No. 2024L003997

JOHN DJIKAS -vs- KEHINDE AKINRINADE, Lyft, I

§

Location: District 1

§

Judicial Officer: Calendar, R

§

Filed on: 04/15/2024

§ Cook County Attorney Number: 365598

## Case Information

Case Type: Motor Vehicle - Jury

Case Status: 04/15/2024 Pending

## Assignment Information

Current Case Assignmer  
Case Number: 2024L003997  
Court: District 1  
Date Assigned: 04/15/2024  
Judicial Officer: Calendar, R

## Party Information

## Lead Attorneys

Plaintiff: DJIKAS, JOHN  
4004 Camppbell Street  
Valparaiso, IN 46385  
DOB: 10/04/1973


Custy, Brian Nicholas  
Retained  
219-916-0389(W)  
101 W84TH DR #A  
MERRILLVILLE, IN 46410


Defendant: AKINRINADE, KEHINDE  
6334 North Claremont Avenue  
Apt. B  
Chicago, IL 60659  
DOB: 04/25/1975

Lyft, Inc  
3208 SO Lasalle St.  
Chicago, IL 60604

## Events and Orders of the Court

06/26/2024 First Time Case Managemer (9:30 AM) (Judicial Officer: Otto, Michael F)  
Resource: Location L2208 Court Room 2208  
Resource: Location D1 Richard J Daley Center

05/10/2024  Summons Returned - N.S. Reason: Other Reason  
Sheriff ID: 50417359, Sheriff: Sheriff Filename: 2024L00399750417359.pdf  
Date Served: 05/07/2024  
Party: Defendant AKINRINADE, KEHINDE

05/07/2024  Summons Served - Corporation/Company/Business  
Sheriff ID: 50417360, UNKNOWN LITIGANT Sheriff: Sheriff Filename: 2024L00399750417360.pdf  
Date Served: 05/02/2024


04/15/2024 New Case Filing





District 1


Case Summary

Case No. 2024L003997

04/15/2024  Personal Injury (Motor Vehicle) Complaint Filed (Jury Demand)  
Complaint JohnDjikas v. Akinrinadeand Lyft, Inc  
Party: Plaintiff DJIKAS, JOHN  
Party 2: Attorney Custy, Brian Nichola

04/15/2024  Summons Issued And Returnable  
Summons - CookCounty - AKINRINADE  
Party: Plaintiff DJIKAS, JOHN  
Party 2: Attorney Custy, Brian Nichola

04/15/2024  Summons Issued And Returnable  
Summons - Cook County LYFT, INC.  
Party: Plaintiff DJIKAS, JOHN  
Party 2: Attorney Custy, Brian Nichola

04/15/2024  Notice Of Filing  
Filed  
Civil Cover Sheet & Appearance - Cook County - DJIKAS  
Party: Plaintiff DJIKAS, JOHN  
Party 2: Attorney Custy, Brian Nichola